

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**


RUSTY REX REAN,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-23-537-J
)	
FNU LNU,)	
)	
Respondent.)	

ORDER

Petitioner, a federal prisoner appearing pro se, has filed a Petition for Writ of Habeas Corpus, pursuant to 28 U.S.C. § 2241. The matter was referred to United States Magistrate Judge Suzanne Mitchell for initial proceedings consistent with 28 U.S.C. § 636. [Doc. No. 3]. On July 14, 2023, Judge Mitchell issued a Report and Recommendation recommending the Court dismiss Petitioner's § 2241 habeas petition under Rule 4 without prejudice to refiling. [Doc. No. 5]. Petitioner was advised of his right to object to the Report and Recommendation by August 4, 2023. Petitioner has filed no objection and has therefore waived any right to appellate review of the factual and legal issues in the Report and Recommendation. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 5] and DISMISSES Petitioner's § 2241 habeas petition under Rule 4 without prejudice to refiling.

IT IS SO ORDERED this 15th day of August, 2023.



BERNARD M. JONES
UNITED STATES DISTRICT JUDGE